

Division of Disability and Aging Services
Human Rights Committee Guidelines
Updated 11/06

1. What is the function of the Human Rights Committee?

The purpose of the Human Rights Committee is to safeguard the human rights of people receiving developmental disability services in Vermont. The Committee will provide an independent review of restraint procedures proposed or occurring within the supports provided by the developmental disability service system. This will include review of policies, procedures, trends and patterns, individual situations and individual behavioral support plans that authorize the use of restraint procedure. The goal of the Human Rights Committee is to ensure that the use of restraints is appropriate and necessary. Proposed plans and the use of restraint must be in compliance with the DS Behavior Support Guidelines. The Human Rights Committee will assist presenters/ teams in developing positive alternatives to restraint procedures.

2. What is the composition of the Human Rights Committee?

The Human Rights Committee shall ideally include, if possible, consumers, family members, concerned citizens, and professionals knowledgeable about and committed to the use of alternatives to restraint procedures. A majority of the Committee members must be present to review and advise on plans. Ongoing training and information shall be provided to members to ensure current knowledge of best practices for supporting individuals with co-occurring developmental disabilities and emotional, behavioral, and/or psychiatric issues.

Nominations for new membership on the Human Rights Committee should be made to the Division of Disability and Aging Services (DDAS). Final authority to name members to the Committee lies with the Deputy Commissioner of the Division of Disability and Aging Services.

Members of the Human Rights Committee agree to participate with the understanding that information shared at the meetings is strictly confidential and shall sign a confidentiality policy statement. Committee members will not discuss information that is written or reviewed by the committee with anyone outside the committee except with members of the person's team. Participants in the Human Rights Committee process shall maintain the confidentiality of client specific information. All information written about a case (e.g., review notes, meeting minutes) will refer to the person being reviewed by her/his initials and will be stamped "CONFIDENTIAL". However, during the case presentations, the individual may be referred to by his or her first name.

3. Who can bring a case, situation, behavior support plan, policy, or information to the Human Rights Committee?

Consumers, family members, guardians, Division staff, and agency staff may submit information to be reviewed. Any plan that includes restraint procedures as defined in the DS Behavior Support Guidelines needs to be reviewed, but people are welcome to submit other support plans for feedback from the committee as well. To submit information to the Human Rights Committee, contact Clare McFadden, at DDAS (241-2863).

4. What information should be submitted?

Information submitted should include a recent summary of the person's situation, and a description of the specific area of concern. Behavior support plans need to include all of the following that is pertinent to the individual: summary information about the person, a rationale for constructing a support plan, a functional analysis/case formulation of the challenging issues, proactive strategies, interventions when problems arise, including a detailed description of the restraint procedure to be used, list of current psychiatric medications, skills to be taught to replace challenging behaviors, data collection system and evaluation of effectiveness (Please see the latest version of the DS Behavior Support Guidelines for detailed description of information to include in plan). The behavior support plan must also include the procedures for approval and informed consent by the consumer. A signed Human Rights Committee Release of Information must accompany the documentation, as well as a list of individuals who will be attending the Committee meeting. If the topic of review is a policy, not an individual plan, information relevant to the policy should be submitted.

5. Who should attend the Human Rights Committee Plan Review?

Team members, including the individual, are invited to attend the Plan Review. If the individual does not wish, or it is deemed clinically inappropriate, to attend, feedback on the plan should be solicited from the individual and team members present should be prepared to convey the individual's opinion.

6. What happens during the meeting?

Committee members will have received the packet of information (with names crossed out) ahead of time to review before the meeting. During the meeting, the committee will discuss the plan, ask questions of the team members in attendance and provide initial feedback on the plan. If necessary, further discussion of the plan by the committee can continue after team members have been excused.

7. What happens after the meeting?

Minutes will be sent out to all participants of the meeting and committee members and guests. Documentation will outline the key issues discussed, questions and concerns, recommendations, and follow-up. The recommendations of the committee are advisory. The presenter may be asked to bring the case/situation back to a future meeting in follow-up to recommendations made by the committee.

Written or verbal feedback about the minutes, recommendations made by committee members or the process in general, are welcome and should be directed to Clare McFadden, and will be shared with committee members.